

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Graham et al.

SERIAL NUMBER: 09/884,319

EXAMINER: Prema Maria Mertz

FILING DATE: June 18, 2001

ART UNIT: 1646

FOR: Novel Interleukin-1 Receptor Intracellular Ligand Proteins and Inhibitors of Ligand Binding

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Response to September 9, 2003 Office Action

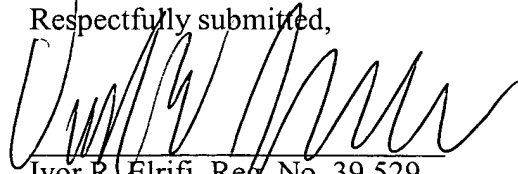
In response to the Office Action mailed September 9, 2003, Applicants elect with traverse the invention of Group I, which is drawn to an antibody to a protein comprising the amino acid sequence set forth in SEQ ID NO: 2.

Applicants request that at least Group II, which is drawn to an antibody to a protein comprising the amino acid sequence set forth in SEQ ID NO: 2, be rejoined with Group I.

Applicants' traverse is on the basis that no undue burden is presented by considering in one application the patentability of an antibody to a polypeptide comprising the amino acid sequence of SEQ ID NO: 2 and an antibody to a polypeptide that includes the amino acid sequence of SEQ ID NO: 4. No undue burden is presented because the United States Patent and Trademark Office has already determined that polypeptides comprising the amino acid sequences of SEQ ID NOs: 2 and 4 are patentable. In particular, US Patent No. 5,816,476, which issued from a divisional application of parent application USSN 08/487,942, includes composition claims to polypeptides that include the amino acid sequence of SEQ ID NO: 2 or SEQ ID NO: 4.

A petition for extension of time accompanies this response. The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 22058-568 DIV1ACON.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ivor R. Elrifi', written over a horizontal line.

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Dated: January 9, 2004